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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/077,207	05/26/1998	SATOSHI INOUE	JAO40840	5738

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EXAMINER

PRENTY, MARK V

ART UNIT	PAPER NUMBER
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2822

DATE MAILED: 08/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/077,207

Applicant(s)

INOUE, SATOSHI

Examiner

MARK V PRENTY

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 25, 34, 39, 43, 44, 47-57, 59 and 60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 39, 43, 47-57, 59 and 60 is/are allowed.
- 6) ☒ Claim(s) 25 and 44 is/are rejected.
- 7) ☒ Claim(s) 34 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- ☐ Interview Summary (PTO-413) Paper No(s) _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

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This non-final Office Action is in response to the response filed July 15, 2003. The response cancelled claims 26, 30, 31, 33, 35, 36, 38, 40-42, 58 and 61. The response also included a "listing of claims" which is incorrect at least with respect to independent claim 25 (the listed claim 25 corresponds to claim 25 as amended in the paper filed November 30, 2001, rather than claim 25 as subsequently amended in the paper filed April 15, 2002). In any event, this Office Action is based on the prior versions of the pending claims, not the response's "listing of claims."

As a preliminary matter, although another interview seems unnecessary in this case, a request for an interview will be granted if the interview is held before the applicant files a response.

Claim 44 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, claim 44's "the source or drain region" lacks antecedent basis and should instead read "the source-drain region."

Claim 44 would be allowable over the prior art of record if rewritten or amended to overcome the rejection under 35 U.S.C. 112, second paragraph.

Claim 25 is rejected under 35 U.S.C. 102(b) as being anticipated by Houston (newly cited United States Patent 5,095,348).

With respect to independent claim 25, Houston discloses (see the entire patent, particularly the Figs. 1-3 disclosure) a thin film transistor 56 comprising: a channel region 34; a gate electrode 42, at least one part of the gate electrode is opposed to the channel region, said gate electrode including an extension extending from both sides of

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the at least one part opposed to the channel region along a channel length direction (see Fig. 1); a gate insulating film 31 provided between the channel region and the gate electrode; a source or drain region 54 or 52 connected to said channel region.

Claim 25 is thus rejected under 35 U.S.C. 102(b) as being anticipated by Houston.

Claim 34 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all the limitations of independent claim 25.

Claims 39, 43, 47-57, 59 and 60 are allowable over the prior art of record.

Shirasaki (United States Patent 4,996,574), Hisamoto et al. (United States Patent 5,115,289), Blanc et al. (United States Patent 5,130,770), and Inoue (United States Patent Application Publication US 2001/0038097) are relevant to this application.

Registered practitioners can telephone examiner Prenty at (703) 308-4939. Any voicemail message left for the examiner must include the name and registration number of the registered practitioner calling, and the Application/Control (Serial) Number. Technology Center 2800's general telephone number is (703) 308-0956.

Mark Prenty
Mark V. Prenty
Primary Examiner